

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

LARRY GENE HEGGEM,)
) CASE NO. C10-1997-RSM
Plaintiff,)
)
v.)
) ORDER
ANDREA HOLMES,)
)
Defendant.)
_____)

The Court, having reviewed the pending motions, the papers filed in support of and in opposition to the motions, the Report and Recommendation of United States Magistrate Judge Mary Alice Theiler, the objections to the Report and Recommendation, the governing law, and the balance of the record, does hereby find and ORDER:

- (1) The Report and Recommendation is ADOPTED;
- (2) Defendant Andrea Holmes's motion to dismiss (Dkt. 98) is GRANTED and all claims against Ms. Holmes are DISMISSED with prejudice;
- (3) Ms. Holmes's motion to stay (Dkt. 106) is STRICKEN as moot;
- (4) Plaintiff's motions for default judgment (Dkt. 101), for summary judgment

(Dkt. 104), and to reopen discovery/delay consideration of the summary-judgment motion (Dkts. 114, 123) are DENIED as moot and meritless;

(5) Plaintiff's motion to reconsider Chief Judge Marsha J. Pechman's order denying plaintiff's motion to have Magistrate Judge Theiler recuse (Dkt. 113) is DENIED;

(6) All claims against the unnamed John Doe defendants who were never served are DISMISSED; and

(7) The Clerk of Court is directed to send copies of this Order to plaintiff and to Magistrate Judge Theiler.

DATED this 27 day of November 2012.



RICARDO S. MARTINEZ
UNITED STATES DISTRICT JUDGE